

Notice of Allowability

Application No.

09/610,933

Examiner

Michael B. Shingleton

Applicant(s)

RAAB, FREDERICK HERBERT

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the examiner's amendment authorized by Mr. Jimmy Leas on 9-4-2006.
2. ☒ The allowed claim(s) is/are 1-64.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Michael B Shingleton
Primary Examiner
Group Art Unit 1827

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jimmy Leas on September 2006.

In claim 1, line 1 after "power amplifier" the following has been added --having an output wherein said output is--.

In claim 1 line 12 "time varying tuning" has been changed to read --time varying non-DC tuning--

In claim 1, line 13 beginning with the word independent the word independent has been deleted along with all that follows and the following has been put in place thereof --not derived from said amplifier output--.

In claim 40 line 5 after "power amplifier" the following has been added -- having an output--.

In claim 40 line 15 "time varying tuning" has been changed to read --time varying non-DC tuning--.

In claim 40 line 19 "time varying tuning" has been changed to read --time varying non-DC tuning--.

In claim 40 line 22 "time varying tuning" has been changed to read --time varying non-DC tuning--.

In claim 40 line 5 "time varying tuning" has been changed to read –time varying non-DC tuning--

In claim 40, line 22 beginning with the word independent the word independent has been deleted along with all that follows and the following has been put in place thereof –not derived from said amplifier output--.

In claim 56 line 2 after "power amplifier" the following has been added – having an output--.

In claim 56 line 6 "time varying tuning" has been changed to read –time varying non-DC tuning--

In claim 56 line 11 "time varying tuning" has been changed to read –time varying non-DC tuning--.

In claim 56 line 13 "time varying tuning" has been changed to read –time varying non-DC tuning--.

In claim 56, line 14 beginning with the word independent the word independent has been deleted along with all that follows and the following has been put in place thereof –not derived from said amplifier output--.

The following is an examiner's statement of reasons for allowance: The prior art of record fails to disclose or suggest a time varying non-DC tuning signal. Not at best the Bosse reference includes a time varying DC tuning signal (Note that the column 2 around line 54 that states a varying DC tuning signal.).

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael B. Shingleton whose telephone number is (571) 272-1770.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal, can be reached on (571)272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 and after July 15, 2005 the fax number will be 571-273-8300. Note that old fax number (703-872-9306) will be service until September 15, 2005.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MBS
August 7, 2006


Michael B Shingleton
Primary Examiner
Group Art Unit 2817